

**UNSAFE STRUCTURES BOARD HEARING MINUTES OF April 15<sup>th</sup>, 2015**

**Members Present:**

James Cueva, Chairman	James Starkweather, VC	Kevin Deeb
Aymara D. Riley	Jose Escandell	Carlos Naumann
Adebayo Coker	Ramon Arronte	

**Excused Absent:**

Abel Ramirez	Julio Jiminez
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**Staff:**

Kathy Charles, Acting Clerk of the Board  
Latisha Byrd, Board Recording Secretary  
David Sherman, Asst. County Attorney

**Court Reporter:**

Aurora C. Sloan, FPR, Jeannie Reporting Certified Court Reporters

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:40 P.M. on Wednesday, April 15<sup>th</sup>, 2015, on the 2<sup>nd</sup> Floor, Conference Rooms I & J, of the Herbert Saffir Permitting & Inspection Center, Department of Regulatory & Economic Resources located at 11805 SW 26<sup>th</sup> Street, Miami, Florida, 33175.

Mr. James Cueva requested a motion to approve and accept the minutes of the March 11<sup>th</sup>, 2015 with the amendments as mentioned on record, Unsafe Structures Board Meeting. Mr. Starkweather moved to accept the minutes of the board meeting with the revisions mentioned on record. Ms. Riley seconded the motion.

**Motion passed unanimously.**

*(For a verbatim version, please refer to the transcripts)*

Ms. Kathy Charles then announced the following Unincorporated Miami Dade County and City of Miami Beach cases that were agreements with the Building Official/Inspector:

**Unincorporated Miami Dade County:**

DC20140169013U	3005 NW 62 Street
DCF2013114057U	4101 NW 25 Street, #1
DCF2013114124U	3520 SW 97 Avenue, #2
DCF2014115542U	2101 NW 95 Street, #2
DCF2014115572U	3651 NW 71 Street, 31
DCF2014115788U	8820 Coral Way, #1
DCF2014115812U	9600 Bird Road, #1
DCF2014115822U	7350 SW 42 Street, #1
DCF2014116057U	6950/6960 Miami Gardens Drive
DCF2014116103U	15135-15149 NE 6 Avenue, #A
DCF2014116423U	15151-15165 NE 6 Avenue, #B
DCF2014116424U	15167-15181 NE 6 Avenue, #C
DCF2014116425U	15117-15133 NE 6 Avenue, #D
DCF2014116426U	15101-15115 NE 6 Avenue, #E

**Unsafe Structures Board  
April 15th, 2015**

**Unincorporated Miami Dade County: Re-Scheduled from March 11<sup>th</sup>, 2015**

DCF2013113811U	14701 W. Dixie Hwy., #1
DCF2014115553U	2000 NW 103 Street, #2
DCF2014115557U	9590 NW 27 Avenue, #1
DCF2014115586U	7101 NW 32 Avenue, #1
DCF2014115989U	12825 Quail Roost Drive, #1
DCF2014116210U	10909 SW 113 Place
DCF2014116211U	10913 SW 113 Place
DCF2014116212U	10917 SW 113 Place
DCF2014116213U	10921 SW 113 Place
DCF2014116214U	10925 SW 113 Place
DCF2014116215U	10901 SW 113 Place
DCF2014116216U	10905 SW 113 Place
DCF2014116217U	10929 SW 113 Place
DCF2014116218U	10933 SW 113 Place
DCF2014116219U	10945 SW 113 Place
DCF2014116220U	10949 SW 113 Place
DCF2014116221U	10941 SW 113 Place
DCF2014116222U	10937 SW 113 Place
DCF2014116223U	10953 SW 113 Place
DCF2014169326U	2301 NW 79 Street
DCF2014115390U	100 NW 176 Street, #1

**City of Miami Beach: Re-Scheduled from March 11<sup>th</sup>, 2015**

BV14001575	810 7 <sup>th</sup> Street
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**City of North Miami: Re-Scheduled from March 11<sup>th</sup>, 2015**

NM2015-002	635 NW 123 Street
NM2015-003	645 NW 123 Street
NM2015-004	12351 NW 7 Avenue

Ms. Charles announced that the following Unincorporated Miami Dade County cases that were No Contest/No Show for the Building Official recommendation:

**Unincorporated Miami Dade County:**

DCF2013113735U	6881 NW 179 Street, #1
DCF2013113794U	18500 NE 4 Court, #1
DCF2013113957U	2905 NW 62 Street, #1
DCF2014115476U	14900 NE 5 Court, #1
DCF2014115562U	3100 NW 94 Street, #2
DCF2014115595U	8001 NW 11 Court, #1

**Unincorporated Miami Dade County: Re-Scheduled from March 11<sup>th</sup>, 2015**

DCF2013113767U	3225 NW 107 Street, #1
DCF2013114228U	24000 SW 187 Avenue, #1
DCF2014115664U	3501 NW 50 Street, #1
DCF2014115766U	7420 SW 23 Street, #1

**Unsafe Structures Board  
April 15th, 2015**

**City of Miami Beach: Re-Scheduled from March 11<sup>th</sup>, 2015**

BV14001568	2925 Indian Creek Drive
BV15000233	8230 Byron Avenue

**City of North Miami: Re-Scheduled from March 11<sup>th</sup>, 2015**

NM2015-001	13300 NE 9 Avenue
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Ms. Charles announced that the following Unincorporated Miami Dade County and City of Miami Beach cases that were **Deferred/Withdrawn by the Building Official:**

**Unincorporated Miami Dade County:**

DC20140165896U	26520 S. Dixie Hwy.
DCF2014115415U	10600 NW 27 Avenue, #1

**Unincorporated Miami Dade County: Cont'**

DCF2014115416U	10600 NW 27 Avenue, #2
DCF2014116115U	9131 Fontainebleau Boulevard, #1 9131
DCF2014116116U	9135 Fontainebleau Boulevard, #1 9135
DCF2014116144U	4444 SW 67 Avenue
DCF2014116145U	4450 SW 67 Avenue
DC20090126815U	2055 SW 122 Avenue, Guard House
DCF2014115931U	18240 S. Dixie Hwy., #1
DCF2014115993U	12140 SW 202 Street, #1

**City of Miami Beach:**

BV09000255	1940 Park Avenue
BV14001565	2001 Washington Avenue
BV15000047	7871 Crespi Boulevard
BV15000107	230 Lincoln Road
BV15000199	2940 Collins Avenue

**City of South Miami**

SM2014-001	6321 SW 43 Street
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The cases and photographs were submitted to the Board for review and were called into the record by Ms. Charles.

After the Board reviewed each case file, Mr. Cueva requested a motion to consolidate the deferrals, withdrawals, agreed and uncontested cases and uphold the decisions of the Building Official. Mr. Starkweather moved to accept the deferrals, withdrawals, agreed and uncontested cases as called by Ms. Charles. Mr. Deeb seconded the motion.

**Motion passed unanimously.**

*(For a verbatim version, please refer to the transcripts)*

Mr. Cueva then informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

**Unsafe Structures Board**  
**April 15th, 2015**

**Heard Case on Record**

The Building Officials and Appellants being heard by the Unsafe Structures Board were sworn in at 2:10 P.M. by the Court Reporter.

Ms. Charles then called forth the case to be heard on record from the Unincorporated Miami Dade County, Unsafe Structures Unit.

**Unincorporated Miami Dade County:**

DCF2012112810U

1101 NW 57 Avenue, #1

Mr. Monte Lee informed the Board that the above-mentioned case is brought before the Board, because the Property Owner's requested an extension of time to comply with the Board Order dated January 15<sup>th</sup>, 2014. He informed the Board that the Property Owner had failed to meet the time periods set forth in said Order and seeks additional time to complete the necessary work. Mr. Lee further explained to the Board that the structure is a 40 year recertification case and the report in the format required by the Department of Regulatory and Economic Resources prepared by a Florida registered professional engineer or architect must be submitted to the Department of Regulatory and Economic Resources, Unsafe Structures Unit within thirty (30) days from today's date certifying each building or structure is structurally and electrically safe for the specific use for continued occupancy. Any repairs required by the Building Official as a prerequisite for the 40-year recertification of the structure(s) shall be subject to the following: An application for building and/or electrical permit must be submitted for the structure to the Department of Regulatory and Economic Resources within forty-five (45) days from today's date. The department's Unsafe Structures Unit must first review the application for permit. The application for permit must include, as part of the permit documents copies of the engineer's or architect's 40 year recertification report. The permit must be obtained within one hundred twenty (120) days from today's date and the required repairs must be completed inclusive of a final inspection approval on the permit within one hundred eighty (180) days from today's date. Upon completion of all required repairs, a revised engineer's or architect's 40 year recertification report shall be submitted to the Department of Regulatory and Economic Resources indicating that the structure, as repaired, can be recertified. If any of the above orders are not complied with, said structure(s) shall be demolished by Miami-Dade County as soon as possible. Except as otherwise specified above, the timeframes to comply will commence from the date of the Hearing at which the Unsafe Structure Board issued the Order. Also note that all time frames mentioned are in calendar days."

Mr. Enrique Puig, Property Owner, informed the Board that he purchased the property in 2004 and would be renovating the building. He furthered informed the Board that this property was a transferred title and explained the timetable to do all the necessary repairs. Mr. Puig assured the Board that he would handle all matters in reference to the property and proceeded to request additional time to bring the property into compliance.

Mr. Cueva asked if the County inspected the property and whether it was structurally sound.

Mr. Lee informed the Board that the 40-year recertification must be submitted and advised the Board that the property had been inspected and is not up to Code. Mr. Lee explained to the Board that the building site and the pool structure are in a hazardous condition that deemed the property to be unsafe. He furthered explained that the property owner failed to obtain the 40-year recertification, which is why the case is before the Board today. Mr. Lee then read into the record the notes of the timetable that were provided by the Inspector in reference to the case.

**Unsafe Structures Board  
April 15th, 2015**

Board Member James Starkweather asked the property owner how much time he need to comply.

Mr. Puig informed the Board that they are working diligently to do the necessary repairs. He responded that he would need about a year to complete the repairs.

Board Member Amy Riley asked had this matter been ongoing for quite some time and if the owner planned to bring the property up to Code.

Mr. Puig replied that their plans are to bring the property into compliance with the Code.

Chairman James Cueva inquired about the violations on the property that was preventing the owner to bring up to Code.

Mr. Puig gave a description of the property and informed the Board that this structure was a 40 year recertification case, but there are some issues with correcting the violations. He further informed the Board that the property is vacant and it is an open lot.

Board Member Adebayo Coker asked Mr. Lee did the County look at the plans and if there were any danger to the public.

Mr. Lee responded that the property was a 40-year recertification case.

Mr. Lee responded that the application for the Engineer's Report and permit were denied because they did not meet the requirements.

Board Member Amy Riley stated that the property had been standing and no work had been done. She proceeded to asked the property owner what is his intent with the property because she feels that the he will be in the same position no matter how time the Board grant him.

Mr. Puig responded that this property was a very large project to complete, but their intentions are to bring the property up to Code. However, they would try to preserve it if a demolish order is rendered.

Board Member Adebayo Coker expressed his concern for the safety of the community.

After further discussion, Mr. Starkweather moved that "The prior Board Order of January 15<sup>th</sup>, 2014, is modified to allow an extension of eighteen (18) months from today to obtain a permit by October 15<sup>th</sup>, 2016 and complete the repairs/construction of said structure by October 15<sup>th</sup>, 2019." Mr. Naumann moved to second the motion.

**Motion passed unanimously.**

*(For a verbatim version, please refer to the transcripts).*

**Discussion**

Mr. David Sherman, Assistant County Attorney, informed the Board that a letter was mailed to each Unsafe Structure Board Member in reference to two cases by the Village of Key Biscayne from the property owner. He stated for the record the cases were KB2015-001 and KB2015-002. Mr. Sherman then asked the Members who read the letter and who did not read it by answering yes or no.

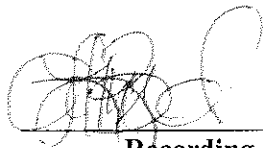
**Unsafe Structures Board**  
**April 15th, 2015**

The members that read the letter were James Starkweather, James Cueva, Ramon Arronte and Adebayo Coker. The members that did not read the letter were Kevin Deeb, Amy Riley, Carlos Naumann, and Jose Escandell.

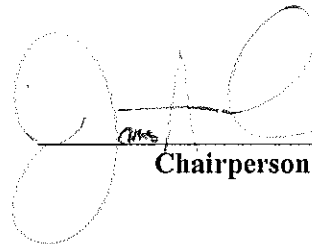
Mr. Sherman then asked the members that read the letter if it effected their decision on the case and the members responded "no."

There being no further business, a motion was made by Mr. Escandell and seconded by Mr. Starkweather to adjourn the meeting at 3:40 P.M.

Prepared by:



**Recording Secretary**



**Chairperson**

**Date:**

17 June 2015